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Fight Probe Killed?

Teamsters' Right to Fifth Upheld

The Teamsters Union apparently emerged unscathed from another battle with the Government today when a District Court judge ruled that eight of its officers and employees had a right to take the Fifth Amendment when questioned by a grand jury.

"They had reasonable grounds to believe that an honest answer might tend to incriminate them," their attorney, H. Clifford Alder, told District Judge George L. Hart Jr.

Grand jury foreman Benjamin B. Cain, 66, of 1836 24th st. nw, a retired CIA officer, asked Judge Hart to order them to answer on grounds the questions were "innocuous" and that their refusal impaired the investigation.

The grand jury's investigation grew out of a charge of assault leveled against Union Chief James R. Hoffa by one of his former division heads, Sam Baron. Mr. Baron claimed that during a meeting at international headquarters here on May 17, Mr. Hoffa punched him twice knocking him off the floor.

Mr. Alder said the witnesses were told they were prospective defendants in the prosecution and their answers might be used against them. He said an answer to any one of the questions would be a waiver of a right to refuse answering others.

STATEMENTS

Mr. Baron, 59, took a polygraph test. However, a half dozen other union men also eyewitnesses, signed statements under oath which differed from his version.

Besides Mr. Gibbons, the witnesses were union lobbyist Sidney Zagri, special attorney William E. Bufaline, Walter J. Shea, Robert T. Flynn, W. Fleming Campbell, Bernice Heffner—Mr. Gibbons' secretary—and S. Ferguson Keathley.

The U. S. Attorney's office said the union statements also contradicted each other in some cases.

As a result, the Government dropped the assault charge against Hoffa. But three weeks later it called the grand jury to investigate possible violation laws against perjury, obstruction of justice, false statements and corruptly influencing witnesses.

WIDE RANGE

When the eight witnesses were called in court today, they were asked questions that ranged from where they were employed to whether they saw any fights exchanged.

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